

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

ROBERT SKELTON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:11-cv-05059-FJG
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

This matter has been reassigned to this Court following the entry of Magistrate Judge Larsen's orders of July 8, 2011 (Doc. #3) and August 2, 2011 (Doc. #4). On June 28, 2011, Plaintiff Robert Skelton filed a pro se complaint along with a petition to proceed in forma pauperis and accompanying affidavit. Magistrate Judge Larsen denied the petition on the ground that Plaintiff indicated that he has not presented his claim for administrative review by the Social Security Commissioner, and therefore the Court does not have subject matter jurisdiction. Magistrate Judge Larsen further ordered that, in the event Plaintiff's case actually has gone through the initial denial of benefits, administrative hearing before an Administrative Law Judge, and denial of benefits by the Administrative Law Judge and by the Appeals Council, he was to have filed a motion to reconsider by July 29, 2011. If he did not timely file a motion to reconsider or pay the required filing fee by the same date, the Magistrate Judge ordered that the case would be transferred to an Article III District Judge for dismissal.

Plaintiff filed nothing further, and has not paid the filing fee. Magistrate Judge Larsen thus entered an order that the Clerk of Court randomly reassign this case to an

Article III District Judge for entry of an order of dismissal. Having reviewed the matter, the Court finds such an order to be appropriate.

Accordingly, it is hereby **ORDERED** that Plaintiff's complaint is **DISMISSED**.

**IT IS SO ORDERED.**

Date: August 9, 2011  
Kansas City, Missouri

**/S/ FERNANDO J. GAITAN, JR.**  
Fernando J. Gaitan, Jr.  
Chief United States District Judge